

**IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF TEXAS
FORT WORTH DIVISION**

**Tony Jones
Plaintiffs,**

V.

**City of Fort Worth, et al.
Defendant.**

§
§
§
§
§
§
§
§
§
§

**CIVIL ACTION NO.
4:22-cv-00359-O**

AMENDED NOTICE OF REMOVAL

Defendant, City of Fort Worth, hereby give amended notice pursuant to 28 U.S.C. § 1446 and this Court's Order [Doc. 19] that the above-styled action, filed in the 48th Judicial District Court of Tarrant County, Texas, Cause Number 048-333132-22, is removed to the United States District Court for the Northern District of Texas, Fort Worth Division. The following grounds support removal in this action:

1. The district courts of the United States have original jurisdiction over this action because Plaintiffs' claims arise under federal law. Plaintiffs have sued Defendant for allegedly violating the Due Process Clause of the 14th Amendment to the U.S. Constitution. [See page 4 of Plaintiffs' Original Petition]. Therefore, this Court has original jurisdiction over Plaintiffs' claims pursuant to 28 U.S.C. §§ 1331 and 1367; and, this action is removable pursuant to 28 U.S.C. § 1441(a).
2. On April 19, 2022, Plaintiff filed his Original Petition, which cited a federal cause of action. Defendants Eulises Gonzalez and Gilberto Gonzalez have been

served a copy of Plaintiff's Original Petition, a default has been taken against them, therefore, this Notice of Removal is therefore timely filed.

3. Pursuant to the provisions of 28 U.S.C. § 1446(a), accompanying this Notice is a copy of all the process, pleadings, and orders served upon Defendant in this action.
4. Pursuant to Local Rule 81.1, this Amended Notice of Removal is accompanied by a completed Amended Civil Cover Sheet, an Amended Supplemental Civil Cover Sheet, an index of all documents filed in state court, a copy of the docket sheet in the state court action, each document filed in the state court action. A Certificate of Interested Persons has already been filed in compliance with Local Rule 3.2(e).

Respectfully submitted,

s/ Lynn M. Winter

Lynn M. Winter

Senior Assistant City Attorney

State Bar No. 24078135

lynn.winter@fortworthtexas.gov

Harvey L. Frye Jr.

Senior Assistant City Attorney

State Bar No. 07496500

harvey.frye@fortworthtexas.gov

CITY OF FORT WORTH

Office of the City Attorney

200 Texas Street

Fort Worth, Texas 76102

P: 817.392.7600

F: 817.392.8359

*Attorneys for Defendant
City of Fort Worth*